

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Case No. 15-20741

Plaintiff,
vs.

Hon. Gershwin A. Drain

COLIN MATHEW BOYLE, D-1,

Defendants.

DEFENDANT'S
SENTENCING MEMORANDUM

NOW COMES Defendant, COLIN MATHEW BOYLE, by and through his attorney, Kimberly W. Stout, and respectfully submits the following information for review by this Honorable Court prior to sentencing.

Defendant was adopted at 9 months by loving foster parents. Defendant has had mental health issues since childhood. According to Michael F. Abramsky, a clinical psychologist who evaluated the Defendant in November of 2016, the issues may be a product of fetal alcohol syndrome. *See* Sealed Exhibit A. The Defendant's father recently passed away at 82 years old while Defendant was incarcerated. The senior Mr. Boyle was an engineer at General Motors. Defendant's mother, Marilyn, is 66 years old and worked as a wound care

specialist. She has been very supportive of her son.

Defendant admitted to undersigned counsel his offense since the first day. He admits to being “sick” and agreed to an evaluation. He further consented to termination of his parental rights in state court.

Throughout his life, Defendant has experienced mental health issues. Nonetheless, his native intelligence has enabled him to self-publish a book of poetry. An example from his book is a poem called *Second Best*. This poem demonstrates Defendant’s insight into his depression and ability to write.

A gray, bitter afternoon
The wind howls memories.
All dies softly to winter
Violets and sweet peas
No longer cover the truth.
Saying goodbye,
A meaningless embrace,
A closing car door,
Now standing alone,
Just the wind and I.

A poem entitled *The Origin of Love*, also speaks beautifully, and reveals Defendant's loneliness. *Rain, the tears of angels, weeping bitterly for the loss of our souls...A mountain will weave the stories of old from vines, and the stories are carried in the minds and souls of all who wander...of all who are lost. This story is for us; the wanderers...the lost.*

Dr. Abramsky concludes that Defendant's illness is caused by inherited neurological deficits that manifested in the problems he has in this Court today.

WHEREFORE, Defendant prays this Honorable Court sentence Defendant according to the Rule 11 Plea Agreement and recommend a facility with mental health care. Since Defendant will spend perhaps the rest of his life incarcerated, it is urged this Court Order a full psychological evaluation of Defendant once in the Bureau of Prisons, and continued therapeutic assistance. Without the proper medications and treatment, Defendant hears voices.

Respectfully submitted,

/s/Kimberly W. Stout
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CERTIFICATE OF SERVICE

I certify that on Sept. 19, 2017, I served the foregoing paper upon Margaret M. Smith by e-filing notification.

/s/Kimberly W. Stout
Kimberly W. Stout (P38588)
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